IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE
REVIEW PETITION NO. 60 OF 2006
IN
WRIT PETITION NO. 1703 OF 2003

Shri. Sadhu Bhikoba Pandharkar ... Petitioner

Vs.

State Bank of India and Ors. ... Respondents

Mr. A.V. Anturkar for Petitioner.

Mr. A.G. Damle for Respondents.

M/s. A.L.M.T. Legal for R. No. 8.

CORAM: F.I. REBELLO &
DR.D.Y.CHANDRACHUD,J.
DATE : 14TH JUNE, 2006

P.C.:

. Admit. Heard forthwith.

. This Petition came to be disposed of by order dated 13th February, 2006. While disposing of the Petition, we had proceeded on the footing that the Deed of mortgage based on which Respondent No. 1 claimed right to auction the property had been registered. The Petitioner thereafter, has filed Review Petition contending that the mortgage has not been registered. The learned counsel for respondent No. 1 on instructions makes a statement that on perusal of the records of the Registrar, it is found that the document was lodged for registration under No. 703 of 1989. It appears that the document has been misplaced.

. At the time of disposal of the petition on 13.2.2006, we have proceeded on the basis of the

statement made by the learned counsel for Respondent No. 1 that the mortgage has been registered. Based on what now transpires, that appears not to be a correct statement. In the light of that, order dated 13.2.2006 suffers from an error apparent on the face of record and consequently the order is recalled and writ petition restored. To be placed for admission on its own turn.

(F.I.REBELLO, J.)

(DR.D.Y.CHANDRACHUD,J.)